



Entered on Docket
September 13, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Second Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based Entirely Upon Investment In
The Palm Harbor One Loan**

Hearing Date: August 30, 2011
Hearing Time: 10:30 a.m..

The Court having considered the "Second Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment in The Palm Harbor One Loan," ("Palm Harbor Loan") [DE 8594] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to repayment by the borrower or from the collateral securing the Palm Harbor Loan; and good cause appearing:

1 **IT IS ORDERED** that:

2 1. The Objection [DE 8594] is sustained; and

3 2. The claims listed on **Exhibit A** attached are disallowed in full because those
4 claims are based entirely upon an investment in the Palm Harbor Loan.

5
6 **PREPARED AND RESPECTFULLY SUBMITTED BY:**

7
8 **LEWIS AND ROCA LLP**

9 By /s/ John Hinderaker (AZ #018024)

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**USACM Trust
Palm Harbor One, LLC
Single Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Palm Harbor One Loan
10725-00841	10/31/2006	Ingrid A Rutherford Family Trust Dtd 7/8/99	Ingrid A Rutherford Tee PO Box 373 Keyser, WV 26726-0373	50,659.78	50,659.78
10725-00033	4/24/2006	James, Donald E	2038 Palm St SPC 438 Las Vegas, NV 89104	60,000.00	60,000.00
10725-02354	1/16/2007	Johnston Trust Dtd 9/7/85	Rodney L & Diane E Johnston Ttees 4326 Arcadian Dr Castro Valley, CA 94546	102,082.96	51,041.48
10725-01310	11/13/2006	Kiesel, Jeffrey	809 Tally Ho Ln Chester Springs, PA 19425	716.67	716.67
10725-01594	12/8/2006	Mayo, Monroe	8635 W Sahara Ave #532 Las Vegas, NV 89117	1,612.91	1,612.91
10725-00269	9/27/2006	Michel F & Patricia A Aiello Trust Agt Dtd 10/4/94	Michel F & Patricia A Aiello TTEES 312 Ski Way Incline Village, NV 89451-9223	50,000.00	50,000.00
10725-00469	10/6/2006	Murphy Family Trust	Dr James & Tracy Murphy TTEES Christopher D Jaime Esq Po Box 30000 Reno, NV 89520	75,717.00	75,717.00
10725-00101	8/15/2006	Murphy Family Trust, Dr James & Tracy Murphy - Tru	Christopher D. Jaime, Esq. Po Box 30000 Reno, NV 89520	75,717.00	75,717.00
10725-01368	11/13/2006	P Morgan Trust	Paula A Morgan Tee 1005 Windfair Village St Las Vegas, NV 89145-8664	50,000.00	50,000.00
10725-01376	11/13/2006	Payne, Shirley	Po Box 208 Grass Valley, CA 95945	50,000.00	50,000.00
10728-00093	10/3/2006	Rosenthal, Arnold	6059 Woodman Ave Van Nuys, CA 91401-2925	500.00	500.00

EXHIBIT A

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